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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/787,428	02/26/2004	Lukas Finschi	16679	4765
50659 7590 12/29/2006 BUTZEL LONG STONERIDGE WEST 41000 WOODWARD AVENUE BLOOMFIELD HILLS, MI 48304			EXAMINER SALATA, ANTHONY J	
			ART UNIT 2837	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			12/29/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/787,428

Applicant(s)

FINSCHI, LUKAS

Examiner

Jonathan Salata

Art Unit

2837

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 18 is/are rejected.
- 7) ☒ Claim(s) 15-17 and 19 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 2-26-04 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 4-22-04, 8-25-04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

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Washington, D.C. 20231

Paper No:20061221
Application No:10/787428
Filing Date: February 26,2004

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. It should be brief but technically accurate and descriptive, preferably from two to seven words. See 37 CFR 1.72(a).

2. The drawings are objected to because the blank rectangular boxes and/or merely numbered boxes of figures 1,2 must be labeled. Conventional features disclosed in the description and claims, where their detailed illustration is not essential for a proper understanding of the invention, should be illustrated in the form of a graphical drawing symbol or a labeled representation (e.g., a labeled rectangular box). see 37 CFR 1.83(a). It is further pointed out that merely numbering the boxes is not considered an appropriate label. Structural elements which can be understood by conventional graphical drawing elements are not required to be labeled. Electronic elements enclosed in a "black box" require consulting the text of the specification and thus require labeling. If the box is too small to label, an appropriate label with an arrow pointing towards the box is acceptable. Correction is required.

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3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-14, 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Thangavelu (5750946).

Thangavelu teaches in figures 1-47, an elevator dispatching controller.

1,8, 1-14, 18) An elevator group controller 118 utilizes a traffic predictor 124 to provide traffic data (figure 18) for the control of dispatching of elevator cars 120. In order to provide optimum efficiency for desired conditions, simulations are run offline using control parameter variables. The system collects and analyzes performance data and provides new sets of control parameters in system operation.

2) Traffic predictor uses set (figures 17, 18)

3,6) Travel times are based on detected acceleration, speed, unanswered calls and estimated stops.

4) DCSS11 utilizes load for traffic data.

5) Dynamic scheduler 122 utilizes dwell times.

7) Simulator 150 of group controller 118.

9) Measures 142.

5. Claims 15-17, 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The cited art of record does not teach or reasonably suggest the falsification detection, restricted time period and unauthorized access.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Fujino et al and Morita et al are cited to illustrate similar performance optimization
simulators/calculators for elevator group controllers.

A shortened statutory period for response to this action is set to expire 3 months from the date of
this letter.

Failure to respond within the period for response will cause the application to become
abandoned. 35 U.S.C. 133

Any inquiry of a **general nature** should be directed to the **Group receptionist whose telephone
number is (571) 272-2800.**

**Information regarding the STATUS of an application may be obtained from the Patent
Application Information Retrieval (PAIR) system. Status information for published applications
may be obtained from either private PAIR or public PARI. Status information for unpublished
applications is available through Private PAIR ONLY. For more information about the PAIR
system, see <http://pair-direct.uspto.gov>. Any questions on access to PAIR, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).**

Papers related to this application may be submitted to Group 2800 by facsimile transmission.
Papers should be faxed to Group 2800 via the PTO 2800 Fax Center. The faxing of such papers must
conform with the notice published in the Official Gazette, 1096 O.G. 30 (November 15, 1989). The Fax
Center number is (571) 273-8300.

For assistance in **Patent procedure, fees or general Patent questions** calls should be directed
to the **Inventors Assistance Center (IAC) whose telephone number is 800-PTO-9199 or 800-786-
9199.** Assistance is also available on the Internet at www.uspto.gov.

For requesting **copies of Cited Art, Office Actions or the like, response to Status Letters,
lost papers or files or General Problem solving**, calls should be directed to the TC 2800 Customer
Service Office whose telephone number is 571-272-2800 or by fax at 571-273-8300.

Any inquiry concerning **this communication or earlier communications from the examiner**
should be directed to **Jonathan Salata whose telephone number is (571) 272-2073.**
The examiner does not have as detailed access as the previously listed numbers with regard to status or
general problem solving. The examiner can normally be reached on Monday through Thursday from 7:30
am to 2:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,
Lincoln Donovan, can be reached on (571) 272-2800 ext 27.

ajs

December 21, 2006


**JONATHAN SALATA
PRIMARY EXAMINER
ART UNIT 2837**